IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(Crl.).No. 49 of 2007(S)

PETITIONER:

PRASANNA JAYAN, AGED 40 YEARS,
D/O.BHAVANI AMMA, JAYANIVAS, CHUNAKKARA MURI,
CHUNAKKARA VILLAGE, MAVELIKARA, ALAPPUZHA
DISTRICT.

BY ADV. SRI.R.PADMAKUMAR

RESPONDENTS:
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1. DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.

2. SUPERINTENDENT OF POLICE, ALAPPUZHA.

3. DEPUTY SUPERINTENDENT OF POLICE,
CHENGANNUR.

4. SUB INSPECTOR OF POLICE,
MAVELIKARA.

5. SUB INSPECTOR OF POLICE,
KURATHIKADU.

6. LINU KRISHNA, AGED ABOUT 19 YEARS,
CHIRAYIL, KUNNAM MURI, MAVELIKKARA.

7. KRISHNAN, AGED ABOUT 50 YEARS,
CHIRAYIL, KUNNAM MURI, MAVELIKKARA.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.KAVITHA GANGADHARAN

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1: COPY OF FIR IN CRIME 43/2007 OF THE KURATHIKADU POLICE STATION.

RESPONDENTS' EXHIBITS:

EXHIBIT R7(a): COPY OF RECEIPT DATED 5.3.2007 ISSUED BY THE SUB INSPECTOR OF POLICE, MAVELIKKARA.

/TRUE COPY/

PA TO JUDGE

P.R.RAMAN & K.HEMA, JJ.

W.P.(C).NO.49 OF 2007

Dated this the 12th day of June, 2007

JUDGMENT

Raman, J.

Petitioner is the mother of one Jayalakshmi, who was studying B.Sc. II year in the S.N.College, Chengannur. She has completed 18 years. On 3.3.2007 the petitioner's daughter was found missing as she did not return from the tuition class in the evening. Enquiries made revealed that the 6th respondent, who is a classmate of the petitioner's daughter, attempted to be win over her and it is alleged that she was kidnapped by the 6th respondent. The complaint made to the police did not reveal any result. Hence this Writ Petition of Habeas Corpus.

2. Pursuant to the notice issued and pursuant to the direction issued to the police to search and find out the girl, the girl appeared. We interacted with Jayalakshmi. According to her, she had gone from her house on her own wish and that she is not under any illegal custody. We also interacted with the boy, the parents' of the boy and the girl's mother, the petitioner. It appears that both the boy and the

girl wish to live together. But the boy is not completed even 21 years of age. The girl is just attained majority. The boy has no employment. He was also studying in the same College where the petitioner's daughter was studying.

In the interest of the parties, especially the girl and considering the age of the boy and girl, we think that the girl should continue with her mother for some time. We also arranged for a talk between the girl and the mother (the petitioner herein) for about an hour and when we recalled the parties, it was submitted by the petitioner that the girl is prepared to go along with her. Accordingly, the girl is allowed to go along with her mother, the petitioner herein.

The Writ Petition is closed.

P.R.RAMAN, JUDGE

K.HEMA, JUDGE

vgs.